

Attachment to Independent Case Review Report
For CDRU # 6336 Case file # 95-251022.

Material Examiner: Malone (RO)

Remarks:

After research it has been determined that the original incoming letter (with original Laboratory number sticker 30131091) or copy of incoming letter (with original Laboratory number sticker 30131091) of Examiner Malone (RO) is missing from the case file at the time of review by the Independent Scientist.

Case resulted in trial, transcript available.

CRM 1471

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fiber

Review commenced at: 2:30 PM (Time), 03/14/2001 (Date)

File #: 95-251022

Laboratory #(s): 20827032
30131091

Examiner(s) & Symbols

	Reviewed	Not Reviewed	Reviewed	Not Reviewed
<u>RQ</u>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>TN</u>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u> </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: _____

Testimony Date(s): _____ Pages: _____

Laboratory Report(s):

Laboratory Number: 20827032 Date: Oct 25, 1982
Laboratory Number: 30131091 Date: Feb 1, 1983
Laboratory Number: _____ Date: _____

Examiner Bench Notes of: RQ

Laboratory Number: 20827032
30131091

Page 1 of 4

Initials: SR

CRM 1471 #

Was any other material reviewed? Yes No

If yes, please identify and/or describe the material: Submitting agency letters (dated 8-24-82 and 1-27-83)

Results of Review

File #: 95-251022 Item or Specimen # Reviewed: Q1-Q5, K1, K2, K5-K7

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
 Yes No Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
 Yes No Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- Transcript not available.
- 3) Testimony consistent with the laboratory report(s)? Yes No Unable to Determine
 - 4) Testimony consistent with the bench notes? Yes No Unable to Determine
 - 5) Testimony within bounds of examiner's expertise? Yes No Unable to Determine

Page 2 of 4

Initials: SW

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-251022

#1: The testing of the duct tape was performed appropriately, with one exception. The warp and fill fibers, in the tape from the victim's residence should have been compared to the fibers in the duct tape recovered from the suspect's car.

The examiner had test procedures available to him at the time that he could have utilized. By performing melting point, for example, he could have determined if the beige fibers were the same type of nylon. This cannot be determined from the testing he performed, as he has testified in other cases. Also, cross-sections should have been prepared of the beige fibers to compare. One cannot always determine if two fibers have the same cross-section from a longitudinal view as was performed in this case.

Review completed at: 3:45 PM (Time), 03/14/2001 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1:15 hours

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Steve Roberts
(Signature)

03/14/2001
(Date)

Page 3 of 4

Initials: SR

Additional Comments
(Set forth by question #, if applicable)

File #: 95-251022

#2: The examination results set forth in the laboratory report are supported by the bench notes, but the documentation is marginally adequate. The notes are not dated or initialed and are in pencil. RQ uses the abbreviation "ftvvc" in his fiber comparison. This abbreviation is difficult to interpret.

Initials: 4 SW